

**AN ORDINANCE  
BY COUNCILMEMBER JIM MADDOX**

**AN ORDINANCE TO PROVIDE FOR THE ANNEXATION  
OF 4505 BIRDIE LANE, SW, ATLANTA, GEORGIA,  
30331, 0.404 ACRES OF LAND LOCATED IN LAND LOT  
61 OF THE 14TH DISTRICT OF FULTON COUNTY TO  
THE CORPORATE LIMITS OF THE CITY OF ATLANTA,  
GEORGIA; TO PROVIDE FOR THE NOTIFICATION OF  
THE DEPARTMENT OF COMMUNITY AFFAIRS OF  
THE STATE OF GEORGIA OF SUCH ANNEXATION;  
AND FOR OTHER PURPOSES**

**WHEREAS**, the owner of real property (the "Applicant") has applied to the City of Atlanta for annexation ("the Application") of certain property identified as 4505 Birdie Lane, SW, as more fully described and delineated in Exhibits "A", "B", "C" and "D" attached hereto (the "Property"); and

**WHEREAS**, the City of Atlanta has determined that the Property is contiguous to the existing corporate limits of the City of Atlanta in excess of the minimum amount required for such annexations under O.C.G.A. 5 36-36-1 et seq.; and

**WHEREAS**, the City of Atlanta has determined that the Applicant is the title holder of record of 100% of the privately owned land within the Property, as evidenced by the Clerk of the Superior Court of Fulton County, Georgia; and

**WHEREAS**, the City of Atlanta has lawfully provided notice to Fulton County, Georgia of all required information including notice of the City of Atlanta's receipt of the Application for annexation of the property; and

**WHEREAS**, all issues between the City of Atlanta and Fulton County regarding the annexation have been resolved prior to the adoption of this ordinance; and

**WHEREAS**, THE City of Atlanta has complied with all other applicable laws, ordinances and agreements with respect to the processing of the application; and

**WHEREAS**, the City of Atlanta has authority pursuant to O.C.G.A § 36-36-1 et seq. to annex certain property into the corporate limits of the City of Atlanta, and that the Mayor and Council of the City of Atlanta have determined that the annexation of the property would be in the best interest of the residents and property owners of the area to be annexed and of the citizens of the City of Atlanta; and

**WHEREAS**, any proposed annexation must be approved by the United States Department of justice pursuant to Section 5 of the Voting Rights Act of 1965; and

**WHEREAS**, the City of Atlanta has determined that the application meets the requirements of law pursuant to O.C.G.A. § 36-36-1 et seq.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

- Section 1. The Property is hereby annexed to the existing corporate limits of the City of Atlanta, Georgia, pending approval by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 2. There is hereby filed, as part of this Ordinance and identified as Exhibits "A", "B", "C" and "D" a complete survey and legal description of the annexed land.
- Section.3. The Department of Law is hereby authorized and directed to submit to the United States Department of justice all necessary documentation required for the Department's review and approval of the annexation pursuant to Section 5 of the Voting Rights Act of 1965.
- Section 4. The Department of Law is hereby authorized and directed to file a report identifying property annexed with the Department of Community Affairs of the State of Georgia and with the governing authority of Fulton County as required by O.C.G.A. § 36-36-3, and to take all other actions required by law with regard to the adoption of this ordinance and the annexation of the Property.
- Section 5. This ordinance shall become effective immediately upon approval by the Mayor Unless otherwise specifically stated by law. Notwithstanding the foregoing Sentence, the effective date of this ordinance for school enrollment purposes of the Atlanta Public School System shall be July 1, 2007.
- Section 6. All Ordinances or parts of Ordinances in conflict with the terms of this Ordinance are hereby repealed; but it is hereby provided that any Ordinance or law, which may be applicable hereto and aid in carrying out the intent, purpose and provisions hereof, shall be liberally construed to be in favor of the City of Atlanta and is hereby adopted as a part hereof.

Exhibit "A"

**Charles A. & Yvonne K. Hammonds**  
**4505 Birdie Lane, S.W.**  
**Atlanta, GA 30331-7253**  
**404-691-3328**

February 24, 2007

FEB 26 2007

mg

Ms. Rhonda Dauphin Johnson  
Atlanta Municipal Clerk  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30303

Post Mark Date

By

2.24.07  
[Signature]

Dear Ms. Johnson:

We would like our property at 4505 Birdie Lane, S.W., Atlanta, Georgia, to be annexed into the City of Atlanta, effective immediately.

Total Acreage: 0.404 acres (17,600.00 sq. ft.)

Land Lot: 61 (14F006100020090)

District: 14F

County: Fulton

Owners: Charles A. & Yvonne K. Hammonds

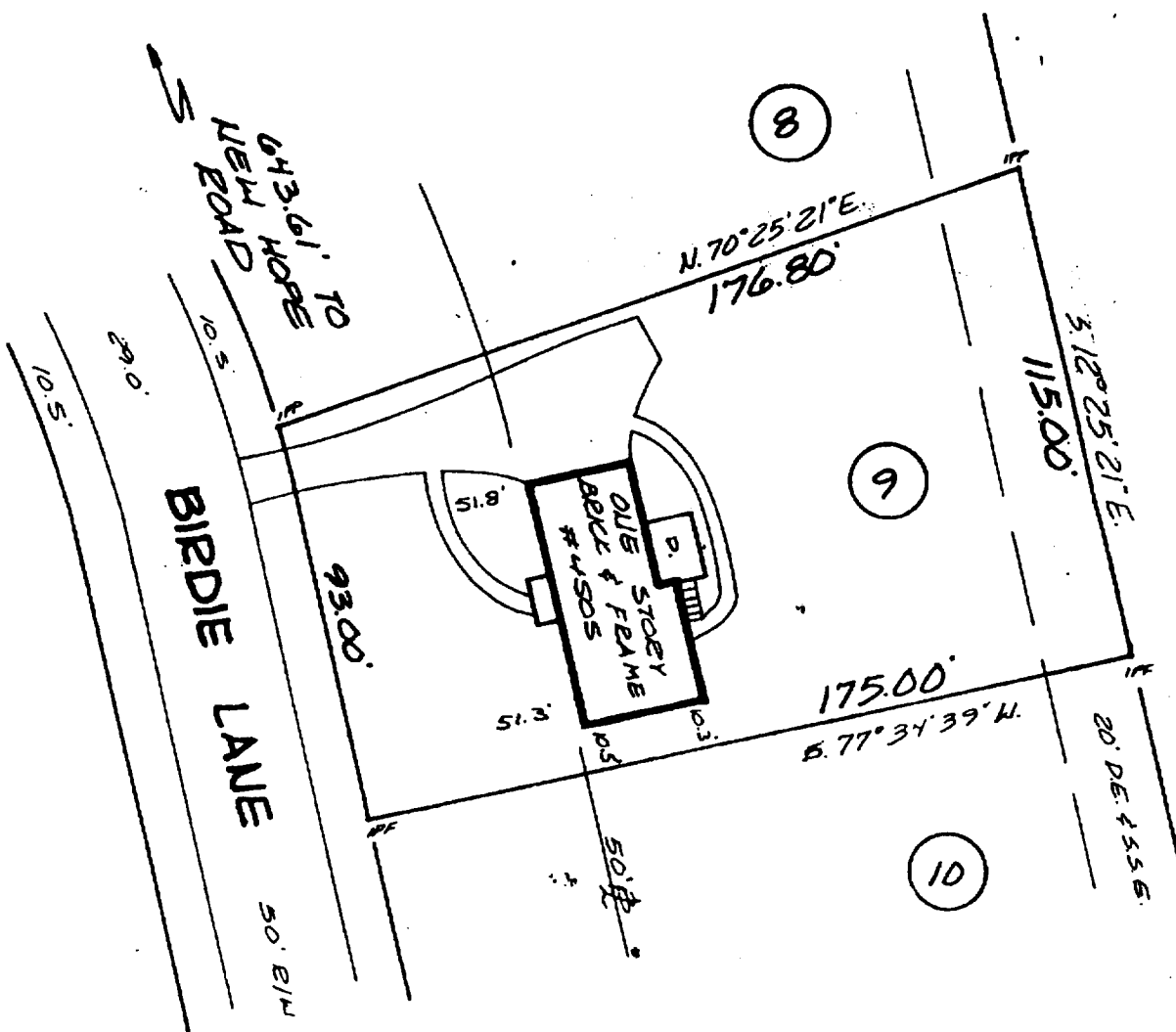
Enclosed are a copy of a surveyor's map and a copy of the legal description of the property.

Sincerely,

[Signature]  
Charles A. Hammonds

[Signature]  
Yvonne K. Hammonds

Exhibit "B"



Survey for

CHARLES ABNER HAMMONDS

of property at 4505 Birdie Lane

Lots 9, Block A, Unit Four, Phase One, Putters' Village Sub.

Land Lot 61, 14th. FF District, Fulton County, Georgia

April 10, 1987

Scale 1" = 40'

made by  
ALVIN E. VAUGHN & ASSOC., INC.  
Planners - Surveyors  
P.O. Box 703  
Stockbridge, Ga. 30281

I certify to the above named party that, in my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.

*A. E. Vaughn*

In my opinion, this property is not located inside an FIA identified flood hazard area.



Exhibit "C"

# WARRANTY DEED

STATE OF GEORGIA

COUNTY OF DEKALB

GARY D. SIMPSON, P.C.  
ATTORNEY AT LAW  
2300 Henderson Mill Road, N.E.  
Decatur Federal Bldg., Suite 211  
Atlanta, Georgia 30345  
(404) 493-6777

THIS INDENTURE, made this 30th day of April in the  
year of our Lord One Thousand Nine Hundred and EIGHTY SEVEN between  
Dan L. Simpson

of the State of Georgia and County of Fulton, hereinafter  
referred to as GRANTOR, and  
Charles Abner Hammonds and Yvonne K. Hammonds

of the State of Georgia and County of Gwinnett, hereinafter  
referred to as GRANTEE,

WITNESSETH: That the said GRANTOR, for and in consideration of the sum of TEN AND OTHER  
GOOD AND VALUABLE CONSIDERATION-----(\$ 10.00--)DOLLARS

and other good and valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said GRANTEE (the terms "GRANTOR" and "GRANTEE" include the respective heirs, successors and assigns of each where the context requires or permits), the following described real property, to wit:

All that tract or parcel of land lying and being in Land Lot 61, 14th District  
Fulton County, formerly Fayette County, Georgia, being Lot 9, Block A, Unit  
Four, Phase One, Putters Village Subdivision, as per plat recorded in Plat Book  
113, page 98, Fulton County Records, which plat is incorporated herein by  
reference for a more particular description.

Subject to easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of the said GRANTEE forever in FREE SIMPLE

Exhibit "D"

**WARRANTY DEED**

STATE OF GEORGIA  
COUNTY OF DEKALB

GARY D. SIMPSON, P.C.  
ATTORNEY AT LAW  
2300 Henderson Mill Road, N.E.  
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and other good and valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said GRANTEE (the terms "GRANTOR" and "GRANTEE" include the respective heirs, successors and assigns of each where the context requires or permits), the following described real property, to wit:

All that tract or parcel of land lying and being in Land Lot 61, 14th District  
Fulton County, formerly Fayette County, Georgia, being Lot 9, Block A, Unit  
Four, Phase One, Putters Village Subdivision, as per plat recorded in Plat Book  
113, page 98, Fulton County Records, which plat is incorporated herein by  
reference for a more particular description.

Subject to easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of the said GRANTEE, forever, in FEE SIMPLE.

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property, unto the said GRANTEE against the claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed this deed the day and year above written.

Signed, sealed and delivered  
in the presence of:

UNOFFICIAL WITNESS

Dan L. Simpson

(SEAL)

NOTARY PUBLIC

DeKalb